



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Confirmation No. 9151
Hiroshi IWAI et al. : Atty Docket 2001_1731A
Serial No. 09/988,715 : Group Art Unit 2681
Filed November 20, 2001 :
MOBILE RADIO :

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Assistant Commissioner for Patents,
Washington, DC 20231

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Petition to Make Special \$130.00

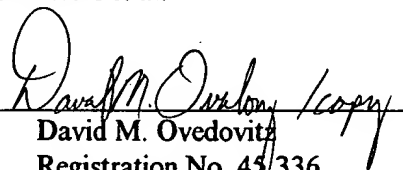
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The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.

Respectfully submitted,

Hiroshi IWAI et al.

By


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2001_1731A



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In re application of _____ : **Confirmation No. 9151**

Hiroshi IWAI et al. : **Docket No. 2001_1731A**

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MOBILE RADIO

PETITION TO MAKE SPECIAL

REQUEST FOR ACCELERATED EXAMINATION

Assistant Commissioner for Patents,
Washington, D.C.

COPY

Sir:

Petition is hereby made to make the above-identified application special and accelerate examination of this application. As per the requirements of MPEP 708.02, Section VIII, the Applicants provide each of the required items (A) - (E) as follows:

(A) Accompanied with this petition to make special is the required fee set forth in 37 C.F.R. 1.17(h);

(B) In the event that the Patent Office takes the position that all the claims presented are not obviously directed to a single invention, Applicants hereby offer to make an election without traverse;

(C) It is submitted that a preexamination search was made in the European Patent Office and the field of search is listed as follows:

- International Classification H01Q.

(D) An Information Disclosure Statement (IDS) and form PTO-1449 along with the above-mentioned European Search Report and one copy of each of the following references deemed most closely related to the subject matter encompassed by the claims is submitted to the Patent Office concurrently with this Petition:

- DE 197 37 544 A; and
- EP 1 052 723 A.

(E) The Applicants provide the following detailed discussion of the above-mentioned references which points out how the claimed subject matter of the present application is patentable over the references:

DETAILED DISCUSSION

Independent claim 2 includes a recitation of a built-in antenna which is disposed on a base plate, and a case defining an outer appearance of a mobile radio, the case being formed in accordance with a shape of the built-in antenna, wherein the built-in antenna is planar and is slanted so that a space between the built-in antenna and the base plate is larger at an upper end of the built-in antenna than at a lower end of the built-in antenna and the case is formed smoothly with the slant of the built-in antenna. Support for this claim recitation is located on page 9, line 5 through page 10, line 5 of the original specification.

Concerning DE 19737544, DE 19737544 discloses a planar antenna element 4 or 5 that is slanted with respect to a base plate 8. A space is located between the planar antenna element 4 or 5 and the base plate 8. The space appears to be larger at an upper end of the planar antenna element 4 or 5 than at a lower end of the planar antenna element 4 or 5. (See Figures 3 and 4). However, DE 19737544 fails to disclose a case and therefore, necessarily, fails to disclose a case that is formed smoothly with the slant of the planar antenna elements 4 or 5. Further, the planar antenna element 4 or 5 and the base plate 8 are attached to a substrate 1. The substrate 1 has a cut-out portion that is slanted to correspond with the slant of the planar antenna element 4 or 5. Therefore, when the

planar element 4 or 5 and the base plate 8 are attached to the substrate 1, the planar antenna element 4 or 5 is flush with the surface of the substrate 1. (See Figures 1 and 2). As a result, even if a case was disclosed in DE 19737544 as covering the planar antenna element 4 or 5 and the base plate 8, the case would necessarily not be formed smoothly with the slant of the planar antenna substrate 4 or 5, since the slant is effectively eliminated by the cut-out portion of the substrate 1. Based on this discussion, it is apparent that DE 19737544 fails to disclose the invention as recited in claim 2.

With regard to EP 1052723, EP 1052723 discloses numerous different antenna structures. In each of the antenna structures, a radiator 10 is disposed parallel to a ground plane 20 and a matching element 100 is disclosed as being connected to the radiator 10 in each of the different antenna structures. (See Figures 1-9, 12b and 12c). The matching element 100 is disclosed as having numerous shapes, including slanting towards and away from the ground plane 20. (See Figure 11). Further, a case 300 is disclosed that surrounds the radiator 10, ground plane 20 and the matching element 100. (See Figures 12b and 12c). However, as can be clearly seen from Figures 12b and 12c, the case 300 runs parallel to the radiator 10 and is not formed smoothly with a slant of the matching element 100. As a result, EP 1052723 fails to disclose the invention as recited in claim 2.

Independent claim 3 includes a recitation of a built-in antenna which is disposed on a base plate, and a case defining an outer appearance of a mobile radio, the case being formed in accordance with a shape of the built-in antenna, wherein the built-in antenna comprises a plurality of planes structured as steps so that a space between the built-in antenna and the base plate is larger at an upper end of the built-in antenna than at a lower end of the built-in antenna and the case is formed to have a smooth envelope accommodating corners of the plurality of planes of the built-in antenna. Support for this claim recitation is located on page 18, lines 1-14 of the original specification.

As discussed above with regard to claim 2, DE 19737544 discloses a planar antenna element 4 or 5 that is slanted with respect to a base plate 8. DE 19737544 does not disclose that the planar antenna element comprises a plurality of planes structured as steps. Further, DE 19737544 does not disclose a case and therefore, fails to disclose a case being formed in accordance with a shape of the antenna element 4 or 5, the case being formed so as to have a smooth envelope accommodating corners of the plurality of planes of the antenna element 4 or 5. As a result, DE 19737544 fails to disclose the invention as recited in claim 3.

EP 1052723 discloses numerous different antenna structures as mentioned above regarding claim 2. Some of these antenna structures have a plurality of planes formed by the radiator 10 and the matching element 100. (See Figures 3-9 and 12c). However, EP 1052723 does not disclose that the case 300 has a smooth envelope accommodating corners of the plurality of planes of the radiator 10 and the matching element 100. (See Figures 12b and 12c). Therefore, EP 10052723 also fails to disclose the invention as recited in claim 3.

Independent claim 10 includes a recitation of a base plate comprising an antenna-housing base plate and a circuit base plate, and a built-in antenna disposed on the antenna-housing base plate, wherein the antenna housing base plate and the circuit base plate are not aligned on a same plane. Support for this claim recitation is located on page 15, line 8 through page 16, line 10 of the original specification.

Again, as discussed above with regard to claim 2, DE 19737544 discloses a planar base plate 8. However, the base plate 8 is a single piece that lies on a single plane. (See Figures 1-4). Therefore, the base plate 8 does not comprise an antenna-housing base plate and a circuit base plate, wherein the antenna housing base plate and the circuit base plate are not aligned on a same plane. As a result, DE 19737544 fails to disclose the present invention as recited in claim 10.

Further, EP 1052723 discloses a ground plane 20 in numerous different antenna structures. In the some of the antenna structures, the ground plane 20 is a single piece that lies along a single plane (see Figures 1-4, 8) and in other antenna structures, the ground plane 20 is coupled to a conductive path 25 that lies along the same plane as the ground plane 20 (see 5-7, 9 and 12c). Therefore, the ground plane 20 and the combination of the ground plane 20 and the conductive path 25 do not comprise an antenna-housing base plate and a circuit base plate, wherein the antenna housing base plate and the circuit base plate are not aligned on a same plane. As a result, EP 1052723 also fails to disclose the present invention as recited in claim 10.

In view of the foregoing, since the Applicants have provided each of the necessary items (A) - (E) identified above, the Applicants respectfully submit that the Examiner grant this Petition to make this application special and accelerate examination of the this application.

Moreover, for at least the reasons found in item (E) above, it is submitted that the present application is clearly allowable over the prior art of record.

In the event, however, that the Examiner has any comments or suggestions of a nature necessary to place this case in condition for allowance, then the Examiner is kindly requested to contact Applicant's undersigned Attorney by telephone to promptly resolve any such matters.

Respectfully submitted,

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